

HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 9961 OF 2006

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Dated 6th June, 2006

Between:

Palluri Salamma W/o P.L.Haribabu

... Petitioner

And

The Divisional Forest Officer, Nandyal,
Kurnool District and another.

... Respondents.

ORDER:

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The petitioner, in this writ petition, has questioned the seizure of lorry bearing No.AP 03 U 2268.

The petitioner claims that she is the owner of the vehicle, which she was plying on hire. However, the said vehicle was intercepted and was seized by 2nd respondent on the ground that it undertook transportation of red sandals without required permits as required under A.P. Forest Act and the rules made thereunder.

Though counter affidavit is not filed, learned Government Pleader for Forests has produced the record, which indicates that pursuant to the seizure and the report from the concerned Range Officer, proceedings were already initiated under Section 44(2) of the Andhra Pradesh Forest Act, 1967 for confiscation and a show cause notice was issued on 28.4.2006. It is further submitted that the enquiry is pending and appropriate final order will be passed within a short time.

Having regard to the nature of the allegations and the fact that proceedings were already initiated under Section 44(2) of the A.P. Forest Act and final order will be passed within a short time, I do not find any ground to order release of the vehicle at this stage. Though it is submitted by the learned counsel for the petitioner that the petitioner is not having any knowledge of such transportation, and, therefore, no order can be passed for confiscation, but the same is a matter to be considered by the authority under Section 44(2) of the A.P. Forest Act. As much as proceedings were already initiated and notice was issued on 28.4.2006, I dispose of the writ petition directing the first respondent to pass appropriate final orders within a period of six weeks from today.

6.6.2006

J.)

(R.SUBHASH REDDY,

VR

Note:
Issue cc within a week.
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